

REMARKS

Currently pending in this application are claims 1-77. Independent claims 1 and 32 have been amended. Claims 78-89 were previously withdrawn without prejudice. Applicants request entry of this Amendment and reconsideration of the claims 1-77, as amended, in view of the Remarks set forth here.

The Examiner rejected claims 1-17, 21-58 and 62-76 under 35 U.S.C. 103 as being unpatentable over DaGraca (US 6,646,676) in view of Yakobi (US 6,697,104). Applicant respectfully requests reconsideration of this rejection. Applicant respectfully submits that claims 1-17, 21-58 and 62-76 are allowable over the combination of DeGraca '676 and Yakobi '104.

First, Applicant respectfully submits that DeGraca '676 clearly does not disclose, teach or suggest a method including the step of:

generating from the collected data motion histogram values for regions of the scene, the motion histogram values being suitable for graphically depicting magnitude of sensed scene changes over time;

as specified in claim 1. Neither Yakobi '104 nor any other reference cures this deficiency of DeGraca '676. Accordingly, claim 1 is allowable. Claims 2-31 and 59-75, which are dependent upon claim 1, are allowable because claim 1 is allowable, and further in view of the additional subject matter specified therein.

DeGraca '676 clearly teaches away from a step including generating motion histogram values for regions of the scene, the motion histogram values being suitable for graphically depicting magnitude of sensed scene changes over time. In the present application, motion histogram values suitable for graphically depicting scene changes over time are generated in order to enable an operator to view graphical depictions indicating motion, and to view the transmitted scene as deemed necessary. However, one purpose of the system disclosed by DeGraca '676 is to provide automatic security event detection relying upon automatic processing of the audio-visual information acquired by the camera (DeGraca '676, col. 11, lines 21-27). Therefore, DeGraca '676 actually teaches away from generating motion histogram values suitable for graphically depicting magnitude of sensed scene changes over time.

Yakobi '104 clearly does not cure this deficiency of DeGraca '676, for the reasons specified below.

First, Yakobi '104 cannot properly be combined with DeGraca '676, because there is no motivation, teaching or suggestion to combine these two references as applied to claim 1. Claim 1 has been amended to specify that the transmitted data includes at least one of a compressed digital still image and compressed digital motion video. Yakobi '104 clearly teaches away from such a system. Instead, Yakobi '104 processes video data at the remote camera or "end unit", and fails to teach or enable transmission of compressed video from the camera to a network. Because Yakobi '104 does not appreciate transmitting compressed data from a remote location to a network, Yakobi '104 teaches away from the approach of the present application as specified in claim 1. Accordingly, there simply is no motivation for one skilled in the art to consult Yakobi

‘104. Because of this gross difference in approach, Applicant respectfully submits that the Examiner is clearly engaged in hindsight reconstruction, which is impermissible. Absent the teachings of the present application, one skilled in the art would have no motivation to consult Yakobi ‘104. For this reason, Yakobi ‘104 cannot be combined with DeGraca ‘676 to reject claim 1.

Second, even if DeGraca ‘676 and Yakobi ‘104 are combined, Yakobi ‘104 fails to cure the above-specified deficiency of DeGraca ‘676. In particular, Yakobi ‘104 fails to disclose, teach or suggest a step including generating motion histogram values for regions of the scene, the motion histogram values being suitable for graphically depicting magnitude of sensed scene changes over time. As explained above, in the present application, motion histogram values suitable for graphically depicting scene changes over time are generated in order to enable an operator to view graphical depictions indicating motion, and to view the transmitted scene as deemed necessary. However, the Y and X histograms taught by Yakobi ‘104 do not provide a “graphical depiction” for viewing by a person or operator, and Yakobi’s histograms clearly are not suitable to be displayed for viewing by a person for any purpose. Additionally, the Y and X histograms of Yakobi ‘104 are not suitable for depicting magnitude of scene changes over time. Rather, the X and Y histograms of Yakobi ‘104 transform data for a single scene at a single time from the spacial domain to the frequency domain, i.e., analyzing content as a function of amplitude. Again, this teaches away from the present application and claim 1, which specifies generating motion histogram values for regions of the scene, the motion histogram values being suitable for graphically depicting magnitude of sensed scene changes over time. The present application including claim 1 provides a graphical depiction for assisting a human, whereas both Yakobi ‘104 and DeGraca ‘676 teach away to automated event detection.

Third, the combination of DeGraca ‘676 and Yakobi ‘104, if combined as suggested by the Examiner, would be inoperable. The system of Yakobi ‘014 does not compress data for transmission from the remote location to a network, and instead processes video at the remote location of the camera. This local operation simply cannot be reconciled with or combined with DeGraca ‘676. And, even if the two references can somehow be combined, it is unclear to Applicant how the combination would operate.

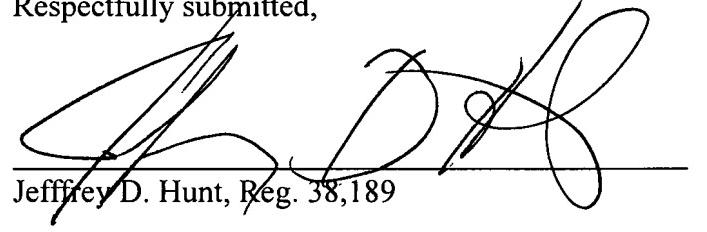
In view of the foregoing, claim 1 is allowable over the combination of Degraca ‘676 and Yakobi ‘104. Claims 2-31 and 59-75, which are dependent upon claim 1, are allowable for the reasons set forth regarding claim 1, and further in view of the additional subject matter specified therein.

Independent claim 32, which was also rejected in view of the combination of DeGraca ‘676 and Yakobi ‘104, is allowable for the same reasons set forth above regarding claim 1. Accordingly, dependent claims 33-58 and 76-77, which are dependent upon claim 32, are allowable for the reasons set forth, and further in view of the additional subject matter specified therein.

The Remarks set forth above are believed to place the application in condition for allowance. Accordingly, in view of the foregoing Remarks, Applicant requests allowance of claims 1-77. Applicant respectfully submits that the Examiner can contact the undersigned to resolve these matters by Examiner's Amendment, if possible.

The Commissioner is hereby authorized to withdraw, or credit, any unpaid fee(s) associated with this Response from Deposit Account No. 50-4128.

Respectfully submitted,



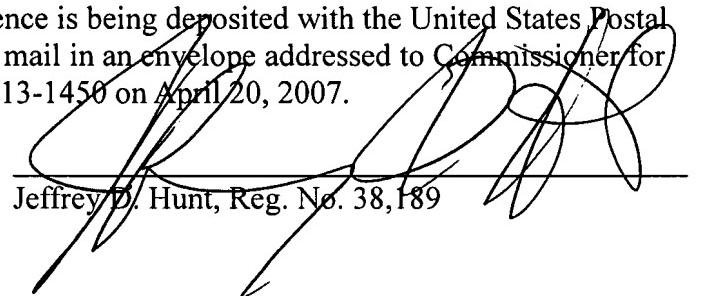
Jeffrey D. Hunt, Reg. No. 38,189

Date: April 20, 2007

Customer Number 67589
MOORE LANDREY, L.L.P.
1609 Shoal Creek Blvd., Ste. 100
Austin, Texas 78701
Telephone: 512.499-8900
Facsimile: 512.320-8906

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 20, 2007.



Jeffrey D. Hunt, Reg. No. 38,189